

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 11, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 4, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, April 11, 2006.
- 3) **PUBLIC HEARINGS:**
 - A. County Special Permit No. 06007, requested by Harry Muhlback, for authority to do mining for a soil, sand and gravel excavation operation for a period of three years, pursuant to Article 13.001(14) of the County Zoning Resolution, on property generally located at North 56th Street/Highway 77 and Raymond Road (14605 North 56th Street) in Lancaster County, Nebraska. (See New Business Item 5A for correlating resolution.)
 - B. An application to the Nebraska Department of Economic Development for a Community Development Block Grant for the development of a dairy processing facility for RRJ, LLC d/b/a Legacy Dairy and Creamery. Lancaster County will receive \$305,000 from the Nebraska Department of Economic Development of which \$300,000 will be loaned to RRJ, LLC d/b/a Legacy Dairy and Creamery. (See New Business Items 5B through 5H for correlating documentation.)
- 4) **OLD BUSINESS:**
 - A. A resolution regarding the creation of a joint public agency as provided by the Joint Public Agency Act with the participation of the County of Lancaster and the City of Lincoln. The Joint Public Agency is being created to provide for the design, acquisition of land and construction of improvements for the Rural to Urban Roadway Transition Streets Program (RUTS) and the design and acquisition of land for the East Beltway. (R-05-0109) (Removed from pending on March 28, 2006.)

<p style="text-align:center">THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.</p>

5) **NEW BUSINESS:**

- A. A resolution in the matter of County Special Permit No. 06007, requested by Harry Muhlbach, for authority to do mining for a soil, sand and gravel excavation operation for a period of three years on property generally located at North 56th Street (Highway 77) and Raymond Road in Lancaster County, Nebraska. (R-06-0022)
- B. A memorandum of understanding with the State of Nebraska, Department of Economic Development and RRJ, LLC d/b/a Legacy Dairy and Creamery for a Community Development Block Grant (CDBG) to the County which is loaned to RRJ, LLC for the creation of 16 full-time jobs at a dairy processing facility. Lancaster County will receive \$305,000 from the Department, \$300,000 of which will be loaned to RRJ, LLC. (C-06-0120)
- C. A project financing agreement between Lancaster County, through its Economic Development Loan Program, and RRJ, LLC d/b/a Legacy Dairy and Creamery, for \$300,000 to RRJ, LLC d/b/a Legacy Dairy and Creamery in Community Economic Block Grant Funds for the development of a dairy processing facility in Hallam, Nebraska. RRJ will create 16 full-time jobs within 24 months of the 'Notice of Approval' letter from the Nebraska Department of Economic Development. (C-06-0121)
- D. Request from the United States Department of Housing and Urban Development for Release of Funds and Certification regarding a job creation loan for RRJ, LLC d/b/a Legacy Dairy and Creamery to locate a dairy processing facility in Hallam, Nebraska. (C-06-0126)
- E. Authorization by Lancaster County to request Community Development Block Grant (CDBG) grant funds. The project is for the development of Legacy Dairy and Creamery, a start-up dairy facility, which will process organic, no-hormone added, raw milk from member dairy farms into pasteurized milk.
- F. A resolution authorizing the Lancaster County Board of Commissioners to apply for an Economic Development Block Grant for the development of Legacy Dairy and Creamery. (R-06-0023)
- G. A resolution adopting a policy opposing discrimination in the acquisition, ownership, possession or enjoyment of housing in Lancaster County, Nebraska. (R-06-0024)

5) **NEW BUSINESS CONTINUED:**

- H. A resolution adopting a residential antidisplacement and relocation assistance plan for the development of RRJ, LLC d/b/a Legacy Dairy and Creamery. (R-06-0025)
- I. A resolution to enact a policy regarding the procedure for handling items on 'Pending' on the Board of Commissioners' Tuesday agendas. (R-06-0026)
- J. An application for a Special Events Permit from Kiwanis Club of Lincoln, Nebraska to hold the Kannonball Road Rally on Sunday, April 23, 2006 from 1 p.m. to 3 p.m. beginning at ArtisanCreed Inc., located at 6220 Logan Avenue, and ending in the parking lot south of Gold's Galleria Building at 10th and "N" Streets.
- K. An agreement for construction engineering services with Olsson Associates for the Jamaica North Trail, Nebraska Department of Roads Project No. STPB-55(150), Control No. 12735. Lancaster County will pay Olsson's a fixed-fee-for-profit of \$3,224.21 and up to a maximum amount of \$32,242.05 for actual costs, for a total amount not to exceed \$35,466.26. (C-06-0125)
- L. A service provider agreement between the Nebraska Department of Health and Human Services and Lancaster County, on behalf of the Community Mental Health Midtown Center, for adult day care services. Term of the agreement is May 1, 2006 through April 30, 2007. (C-06-0122)
- M. A change of Third Party Administrator (TPA) Status for Payors, Attachment 2.6, with the New York State Department of Health for Lancaster County's self-funded group health plan. The filing will change Lancaster County's Third Party Administrator Status from United Healthcare to Blue Cross and Blue Shield of Nebraska. (C-06-0124)
- N. First Amendment to an agreement with Evercom Systems, Inc., under County Contract No. C-03-0161, for telephone services for Lancaster County Corrections and the Lancaster Correctional Facility. The amendment extends the agreement to December 31, 2008. During the renewal term, the County will receive 45 percent of the gross revenue or a Guaranteed Annual Minimum Commission (GMAC) of \$135,000. The County will also receive certain products, such as trays, carpet and tile, in an amount equal to \$40,000 as part of the renewal with Evercom. (C-06-0118)

5) **NEW BUSINESS CONTINUED:**

- O. Second Amendment to an agreement with Evercom Systems, Inc., under County Contract No. C-03-0161, for telephone services for Lancaster County Corrections and the Lancaster Correctional Facility. The amendment allows the Youth Services Center to participate in the agreement for telephone services. Evercom will provide telephone services at the Youth Services Center in accordance with the proposed Statement of Work. The County will receive 35 percent of the gross revenue or a Guaranteed Annual Minimum Commission (GMAC) of \$5,000. The Second Amendment is effective upon execution by both parties and will continue through December 31, 2008. (C-06-0119)
- P. Recommendation from the Purchasing Agent and the County Engineer to award an order from a State of Nebraska Contract (State Contract No. 11281) to Duo Lift Manufacturing Company, Inc., in the amount of \$16,987, for a tandem axle tilt trailer, in the amount of \$16,987. (B-06-0015)
- Q. Recommendation from the Purchasing Agent and the Emergency Management Director to award an order from a City of Lincoln contract (Specification 04-060) to Jacobsen Fire Equipment Company for 32 personal protective suits for the Lincoln Fire Department. This will be a total award of \$46,288 using grant funds obtained by the Emergency Management Department. (B-06-0016)
- R. Appointment of John Holz to the Lincoln-Lancaster County Ecological Advisory Committee to a three year term, ending December 31, 2008.

6) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

- A. Receive and Place on File:
 - 1. Clerk of the District Court's Monthly Reports for February and March, 2006.
 - 2. County Clerk's Monthly Report for March, 2006.
 - 3. Sheriff's Report of Fees for January through March, 2006.

6) **CONSENT ITEMS CONTINUED:**

- B. Setting of public hearings for Tuesday, April 25, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:
1. County Special Permit No. 06016, requested by James and Wendy O'Brien, for authority to locate and live in a mobile home while building a permanent residence, pursuant to Article 13.001(20) of the Lancaster County Zoning Resolution, on property generally located at Southwest 119th Street and West Midway Road in Lancaster County, Nebraska.
 2. County Special Permit No. 06009, Chambers Estates Community Unit Plan, requested by Engineering Design Consultants on behalf of Jim and Phyllis Chambers, for authority to develop sixteen residential acreages on property located northeast of the intersection of South 54th Street and Wittstruck Road in Lancaster County, Nebraska.
- C. Setting of public hearings for Tuesday, May 2, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:
1. An application for Corporate Manager for James W. Partington in connection with a new application for a Class Y (Farm Winery) liquor license for Deer Springs Winery, L.L.C. d/b/a Deer Springs Winery, located at 16255 Adams Street, Lincoln, Lancaster County, Nebraska.
 2. An application for Corporate Manager for Toni L. Parker in connection with a new application for a Class D (Beer, Wine & Distilled Spirits, Off Sale Only) liquor license for Blue Collar Liquor, Inc. d/b/a Blue Collar Liquor, 13940 "O" Street, Unit 1B, Lincoln, Lancaster County, Nebraska.
- D. Requests from the following individuals to participate in the Lancaster County Retirement Plan having met the requirements:
- ▶ Nancy J. Miller, an employee with Lancaster Manor
 - ▶ William R. Wallace, an employee with Property Management
- E. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and Ted Kossack, in the amount of \$259, on West "A" Street between Southwest 84th Street and the Burlington Northern Sante Fe Railroad; Project C55-M-405(1). (C-06-0123)

7) **PENDING:** *Items currently on pending may be removed at the discretion of the Board and scheduled for action on a regular Board of Commissioners agenda following a two week notification period.*

- A. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40th Street and Rokeby Road in Lancaster County, Nebraska. (Placed on pending September, 2004.)
- B. County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- C. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- D. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- E. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- F. Vacation of a portion of South 162nd Street located in the Southwest Quarter of Section 26, Township 9 North, Range 8 East, of the 6th P.M., in Lancaster County, Nebraska. (Placed on pending October, 2005.)
- G. A resolution in the matter of County Change of Zone No. 05063, from AG Agricultural District to AGR Agricultural Residential District, requested by Steven Schmidt, on property generally located southeast of the corner of North 105th Street and Alvo Road/Highway 34 in Lancaster County, Nebraska. (R-05-0140) (Placed on pending November, 2005.)

7) **PENDING ITEMS CONTINUED:**

- H. A resolution in the matter of County Final Plat No. 05094: Wyndam Place 2nd Addition, consisting of two lots and one outlot on property generally located at North 176th and Holdrege Streets, and more specifically Knotting Drive and North 179th Street, in Lancaster County, Nebraska. (R-05-0152) (Placed on pending February, 2006.)
- I. A subdivision agreement with Bernie and Connie Heier, for County Final Plat No. 05094, Wyndam Place 2nd Addition, on property generally located at North 176th and Holdrege Streets, more specifically Knotting Drive and North 179th Street in Lancaster County, Nebraska. (C-05-0575) (Placed on pending February, 2006.)

8) **EMERGENCY ITEMS AND OTHER BUSINESS:**

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, April 13, 2006 beginning at 8:30 a.m. in Room 113 located on the first floor of the County-City Building, 555 South 10th Street, Lincoln, Nebraska.
- B. Public hearings will be held on Tuesday, April 18, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, located on the first floor of the County-City Building regarding the following:
 - 1. An application for Corporate Manager for Jason R. Thiesen in relation to a Class ID (Spirits, Wine, Beer On Sale Only/Spirits, Wine, Beer Off Sale Only) liquor license for Firethorn Golf Company, L.L.C. d/b/a Firethorn Golf Club located at 9301 Firethorn Lane, Lincoln, Lancaster County, Nebraska.
 - 2. An application for a Class C (Spirits, Wine, Beer On and Off Sale) for Ron's Pub, Inc. d/b/a Ron's Place, located at 13940 East "O" Street in Lancaster County, Nebraska and an application for Corporate Manager for Candi Ryan in connection with said license.
- C. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

10) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

NOTE: Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.

The Board of Commissioners agenda and minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 11, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 4, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 5 additions and deductions to the tax assessment rolls per Attachment "A".

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Capitol City Christian Church
Food Bank of Lincoln, Inc.
Seventh-day Adventist Schools of Lincoln

4) **ADJOURNMENT:**

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